

*AF
JAS*



Practitioner's Docket No. ST8630US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Selig et al.

Confirmation No.: 3729

Application No.: 10/633,345

Group No.: 1754

Filed: August 1, 2003

Examiner: Edward M. Johnson

For: METHOD AND DEVICE FOR DEACTIVATING ITEMS AND FOR MAINTAINING SUCH
ITEMS IN A DEACTIVATED STATE

**RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP
1754**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT OR RESPONSE AFTER FINAL REJECTION--TRANSMITTAL

1. Transmitted herewith is an amendment after final rejection (37 C.F.R. 1.116) for this application.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

XX deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)
XX with sufficient postage as first class mail.

37 C.F.R. § 1.10*

as "Express Mail Post Office to Addressee"
Mailing Label No. _____ (mandatory)

TRANSMISSION

 facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.

Laura K. Cahill
Signature

Date: October 13, 2006

Laura K. Cahill

(type or print name of person certifying)

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	OTHER THAN SMALL ENTITY		
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	
TOTAL 5 MINUS	20	= 0	x \$ 50.00	= \$	0.00
INDEP 2 MINUS	3	= 0	x \$ 200.00	= \$	0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM		+ \$ 0.00	= \$	0.00	
			TOTAL	\$	0.00
			ADDIT. FEE		

No additional fee for claims is required.

FEE DEFICIENCY

5. If any additional extension and/or fee is required, charge Account No. 50-0537.

If any additional fee for claims is required, charge Account No. 50-0537.

Date: October 13, 2006

Reg. No.: 31,115
Tel. No.: 440-684-1090

Customer No.: 22203


Signature of Practitioner
Mark Kusner

Kusner & Jaffe
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O P E Application No. 10/633,345
Response dated October 13, 2006
OUTSTANDING OFFICE ACTION dated August 30, 2006

OCT 16 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF : Selig et al.
FOR : METHOD AND DEVICE FOR
DEACTIVATING ITEMS AND FOR
MAINTAINING SUCH ITEMS IN A
DEACTIVATED STATE
SERIAL NO. : 10/633,345
FILED : August 1, 2003
CONFIRMATION NO. : 3729
EXAMINER : Edward M. Johnson
ART UNIT : 1754
ATTORNEY DOCKET NO. : ST8630US

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE UNDER CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1754**

RESPONSE TO FINAL OFFICE ACTION

Dear Sir:

In response to the Office Action dated August 30, 2006, please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.